

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Ramsey AlQaisi	Team: Team # 1	CCRB Case #: 201403547	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 04/10/2014 1:42 PM	Location of Incident: 40th Precinct stationhouse	Precinct: 40	18 Mo. SOL 10/10/2015	EO SOL 10/10/2015	
Date/Time CV Reported Mon, 04/14/2014 2:04 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/14/2014 2:04 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Edgar Clases	17447	936360	040 PCT
2. POM Adrian Ramos	27579	940609	040 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM David Dillon	10147	933541	040 PCT
2. POM Francisco Agis	07661	933594	040 PCT
3. POF Anaritzza Gonzalez	23027	950513	040 PCT
4. POM Jose Reyna	12126	942422	040 PCT
5. POM Jose Gordian	19453	932733	040 PCT
6. SGT Steven Degree	02179	943141	040 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Adrian Ramos	Abuse: PO Adrian Ramos strip-searched § 87(2)(b)	
B.POM Edgar Clases	Abuse: PO Edgar Clases strip-searched § 87(2)(b)	

### Case Summary

On April 10, 2014, at approximately 1:42 p.m., PO Adrian Ramos and PO Jose Reyna of the 40<sup>th</sup> Precinct arrested § 87(2)(b) for selling narcotics. When § 87(2)(b) arrived at the 40<sup>th</sup> Precinct stationhouse, he alleged that he was strip searched by PO Ramos and PO Edgar Clases in the bathroom (**Allegation A and B**).

### Mediation, Civil and Criminal Histories

This case was ineligible for mediation due to § 87(2)(b)'s arrest. § 87(2)(b) and § 87(2)(b) have not filed a Notice of Claim with the City of New York (encl. 19). § 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

### Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) and § 87(2)(b) (encl. 2a-2b).
- PO Ramos has been a member of the service for eight years and there are no substantiated CCRB allegations against him. In case number 201308786, PO Ramos has one allegation of a strip search which was closed complainant uncooperative (encl. 1a).
- PO Clases has been a member of the service for nine years, and has allegations substantiated under case number 200911584 for offensive language. He received command discipline. There are four substantiated allegations under case number 201010966 for a vehicle search, threat of force, frisk and a stop that resulted in him being found guilty and the forfeiture of forty-five vacation day. In case number 201405318, PO Clases has one unsubstantiated allegation of a strip search (encl. 1b-1d).

### Investigative Findings and Recommendations

#### Explanation of Subject Officer Identification

PO Ramos acknowledged apprehending § 87(2)(b) inside of the deli and searching him outside. PO Clases acknowledged he was the only Hispanic male inside of the prisoner van. § 87(2)(b) § 87(2)(b) stated that the two officers that took those actions strip searched him at the stationhouse.

#### Allegation Not Pleaded

§ 87(2)(b) alleged that while he was inside of the prisoner van, § 87(2)(b) walked up and PO Ramos told her, "Get the fuck away from the van." However, § 87(2)(b) stated that PO Ramos told her to get away from the van but did not use any profanity. § 87(2)(g)

§ 87(2)(b)

### Recommendations

**Allegation A - PO Adrian Ramos strip-searched** § 87(2)(b)

**Allegation B –PO Edgar Clases strip-searched** § 87(2)(b)

§ 87(2)(g)

§ 87(2)(b) alleged that when he arrived at the 40<sup>th</sup> Precinct stationhouse, PO Ramos and PO Clases brought him into a bathroom, ordered him to take off all of his clothing and then told him to get dressed.

PO Clases and PO Ramos did not recall the incident and denied strip searching § 87(2)(b) PO Ramos acknowledged searching prisoners in the bathroom of the stationhouse but denied

conducting a strip search. None of the officers interviewed heard about any officers conducting a strip search or seeing it happen. Moreover, the command log arrest stamp and the arrest report for § 87(2)(b) do not note a strip search was conducted (encl. 10e, 15).

§ 87(2)(g)

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Team: 1

Investigator:	_____	<u>Ramsey AlQaisi</u>	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date